

U.S. DISTRICT COURT
DISTRICT OF N.H.
UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE 12:11

Jonathan A. Perfetto
Plaintiff

vs.

Docket No. 1:14-cv-556
Jury Demand

Dave Dionne, Supt.
Hillsborough County
Dept. of Corr., et al
Defendants

COMPLAINT UNDER THE CIVIL RIGHTS ACT
42 U.S.C. SECTION 1983

I Parties

1. Name Perfetto Jonathan A

- (Last) (First) (Initial)

2. Place of Detention New Hampshire State Prison for Men

3. Institutional Address P.O. Box 2828 Concord, NH 03302-2828

4. Are you incarcerated pursuant to a pretrial detention order or are you a sentenced inmate?

X Sentenced Inmate

5. Date pretrial order was issued or sentence imposed

December 19, 2011

B. Please provide the full name, current title, and address known for each defendant

1. Name	<u>Doe</u> (Last)	<u>Jane</u> (First)	<u>X2</u> <u>Unknown</u> (Initial)
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2. Title Mail Clerk

3. Address HDCO, 445 Willow St. Manchester, NH 03103

1. Name Ellis FNU Unknown
(Last) (First) (Initial)

2. Title Field Training Officer

3. Address HDOC, 445 Willow St, Manchester, NH 03103

1. Name Crowell FNU Unknown
(Last) (First) (Initial)

2. Title Correctional Officer

3. Address HDOC, 445 Willow St, Manchester, NH 03103

1. Name Gandyerez (Younger one) FNU Unknown
(Last) (First) (Initial)

2. Title Correctional Officer

3. Address HDOC, 445 Willow St, Manchester, NH 03103

EPA

1. Name Boyer FNU Unknown
(Last) (First) (Unknown)

2 Title

2. Title Lieutenant

3 Address HQDC, 445 Willow St., Manchester, NH 03103

1. Name Hiscoe Gifford Unknown
(Last) (First) (Unknown)

2 Title Chief of Security/Captain

3 Address HQDC, 445 Willow St., Manchester, NH 03103

1. Name Cesson Marc Unknown
(Last) (First) (Initial)

2 Title Chief of Operation/Captain

3 Address HQDC, 445 Willow St., Manchester, NH 03103

1. Name Ryan Denise Unknown
(Last) (First) (Initial)

2. Title Medical Administrator

3. Address HCDCC, 445 Willow St. Manchester, NH 03103

1. Name Fuller Bill Unknown
(Last) (First) (Initial)

2. Title Medical Supervisor

3. Address HCDCC, 445 Willow St, Manchester, NH 03103

1. Name Turnball Quentin Unknown
(Last) (First) (Initial)

2. Title Psychiatrist

3. Address HCDCC, 445 Willow St, Manchester, NH 03103

2. Title Correctional officer

3. Address HCI Inc., 445 Willow St, Manchester, NH 03103

1. Name Pionne Dore Unknown
(Last) (First) (Initial)

2. Title Superintendent

3. Address HCI Inc., 445 Willow St, Manchester, NH 03103

II Statement of Claim

For each claim, please include the following information on attached sheets:

1. State which Federal Constitutional or Federal Statutory rights have been violated.
2. State which defendant(s) have violated that particular right for each allegation.
3. State with specificity, the facts and circumstances that gave rise to the violations or deprivations alleged.
4. State the harm or damage that resulted from the alleged

Violation or deprivation

Allegation I No Tracking of Mail Sent As Indigent

- a. The plaintiff's First and Fourteenth Amendments to the United States Constitution were violated in this allegation.
- b. The defendants of this allegation are:
 1. Jane Doe, Mail Clerk
 2. Captain Marc Cusson, Chief of Operations
 3. Dave Dionne, Superintendent
- c. On several occasions during the plaintiff Jonathan Andrew Perfetto's incarceration at Hillsborough County

Department of Corrections from Monday, November 16, 2009 through Sunday, November 14, 2010, he went without one of his allowed weekly letters he can send as indigent.¹

¹ Hillsborough County Department of Corrections allows inmates who have less than \$2 in their accounts to mail three letters per week at no cost for postage. In the inmate

d. The plaintiff suffered from not having contact with members of his family, clergy, and other personal and professional contacts that he had during his stay at HCC²

² The plaintiff even logged mail he sent as indigent on paper and asked the unit officer if s/he would sign the log with the name and address of the letters the plaintiff

mailed as indigent and they refused,

Allegation II No Tracking of Legal Mail

- a. The plaintiff's First and Fourteenth Amendment to the United State's Constitution were violated by this allegation.
- b. The defendants of this allegation are:
 1. Jane Doe, Mail Clerk X 2
 - 2 Captain Marc Johnson, Chief of Operations
 3. Dave Dianne, Superintendent
- c. While the plaintiff ~~was~~ ~~is~~ incarcerated at Hillsborough County Department of Corrections, from Monday,

November 16, 2009 through Sunday, November 14, 2010,
he would send legal mail to his former public defender
Sarah Rothman, Bennett Martel, of New Hampshire
Legal Assistance (his attorney on a civil matter against
New Hampshire Health and Human Services, Barbara
Steelman ~~Kesher~~, and Barbara Kesher of New Hampshire
Civil Liberties Union Foundation about once to two times
per month.

C-2 On about November 23, 2009, the defendant
sent a civil suit against New Hampshire Department of
Corrections to Hillsborough County Superior Court, North. The

plaintiff had to write three times (over a five month period) to get a response from the court.

c.3. Sometime in January 2014, the plaintiff asked his mail officer ~~officer~~ Flu Goldman (not a defendant) if mail sent to attorney's and courts are logged in or back. He stated he was unsure and asked the second floor Sergeant Paul Doe (also not a defendant). Correctional Officer Flu Goldman later told the plaintiff he just does not log legal mail or to the courts.

d. By the defendants failing to come up with a plan to log legal mail sent out of this facility prevent inmates from providing legal mail was never sent out.

Allegation II Failure To Send Legal Mail/Certified

a. The plaintiff's First, Sixth, ^{Eighth}, and Fourteenth Amendments

to the United States Constitution were violated by this allegation.

b. The defendant(s) of this allegation are:

1. Jane Doe Mail Clerk X2

2. Correctional Officer Lucas OR }
FNU
Field Training Officer FNU Ellis } defendant

4. FNU Montminy, Administrator

5. Captain Marc Cesson, Chief of Operations

5. Dave Dionne, Superintendent

c. On the Evening of November 22, 2009, the plaintiff

either Correctional Officer FM Lucas or Field Training

Officer F TC Ellis (an African-American Correctional

Officer that works Second shift). If inmates are allowed to send

mail certified to the courts. The plaintiff was told he could not do so.

c2 Sometime during the plaintiff's incarceration, the issue

was raised Captain Marc Cusson, Chief of Operations replied

"even though it's late, mail can be sent certified or a copy

case basis provided s/he has the proper fund in their account"

3

The plaintiff wished to file a 42 USC § 1983
Petition in Superior Court against New Hampshire Department
of Corrections for allowing the plaintiff to be sexually
assaulted, for negligence, as well as emotional distress.

4

The petition for the 42 USC § 1983 petition was

never acknowledge as received by the Superior Court at their Manchester Address because the plaintiff was not sure if the Court closed down for Asbestos™ removal.⁵

5 The plaintiff assumed the petition got lost sometime during the move to the Southern District of Hillsborough County in Nashua, N.H.

d. This allegation deprives the plaintiff of him having access to postal services, access to the courts, as well as cruel and unusual punishment due to the fact that being denied certified mail did not serve the penological interests of HCDCC since the plaintiff had sufficient friends in his account

Allegation IV Poor Request Form Format

g. The plaintiff's First and Fourteenth Amendments

to the United States Constitution were violated by this allegation.

b. The defendants of this allegation are:

1. Captain Marc Cusson, Chief of Operations

2. Dave Dionne, Superintendent

c. During the plaintiff's incarceration at HCDX from

Monday, November 16, 2009 through Sunday, November 14, 2010,

and also January 4, 2011 through December 19, 2011, the

plaintiff filled out approximately 400 Inmate Request Forms

during the first incarceration and about 300 IRFs of which

about half went unanswered ~~or had to be rewritten~~

during the first incarceration, and about 300 IFRFs of which about half needed to be rewritten during the plaintiff's first incarceration and one-third during the latter.

c-2 Sometime in February or March 2010, the plaintiff

suggested to Lieutenant ^{Kevin} Cunningham (not a defendant) via an

IFR that this form be redesigned to include carbon copies

- an original for the inmate to keep for his/her records

(Essex County Jail in Middleton, MA does this) without a

response to provide one written, a sent to copy, a response copy for

the inmate, and one for his/her file. This was straightforward

and economical. The plaintiff grieved this issue in March 2010.

and the grievance was denied.

d. By the defendant not having a carbon copy Inmate Request Form System, an inmate cannot prove a request form was filed to complete the second step in the grievance process of HODAC's Grievance Policy.

d-2. Also, instead of the time, inmates must fill out multiple IRFs asking for the same thing; which not only wastes the inmate's time, but staff's as well (and waste's paper, cost) because they must read and sign off on all IRFs.

Allegation V Poor Medical Request Form Format

a. The plaintiff's Eighth and Fourteenth

Amendments to the United States Constitution were violated
by this allegation.

b. The defendants in this allegation are:

1. Denise Ryan, Medical Administrator

2. Bill Fuller, Medical Director

3. Dave Dionne, Superintendent

c. During the plaintiff's incarceration at HD&C from November 16, 2009 through November 14, 2010 and also January 4, 2011 through December 19, 2011, the plaintiff, on average, filled out between one to three Medical (Sick Call) Request Forms per week.

c.2

The problem with the MRF is there is no space on the form for a response, so the inmate has to remember to remind the nurse at sick call two days after turning in a slip to find out what the disposition of the request was.⁶

It is ACDOC policy that medical staff can take up to 48 hours (2 business days) to answer a Medical (Sick Call) Request Form.

d. By the defendant's not having an adequate sick call Medical Request Form, inmates suffer more than they need to because most times the requests are not attended to in a timely fashion as per policy. (ie seeing Medical Doctor Dr. Masewicz, Psychiatrist Dr. Turnball and Dentist

John Doe?

T/T

The average wait time to see Drs. ~~Ford~~
Turnball and Masewic or the Dentist John Doe is 10-12 weeks. There
are no coverage (50) inmates at HCDC.

Allegation VI Denial of Facility Prescribing
Medication's Prescribed By the
Plaintiff's Primary Care Physician, Dr. Kiprop

a. The plaintiff's Eighth and Fourteenth Amendments

to the United States Constitution were violated by this

allegation.

b. The defendants of this allegation are:

1. Dr. Matthew Masewic, MD

2. Dr. Quentin Turnball, Psychiatrist

3. Denise Ryan, Medical Administrator

4. Bill Fuller, Medical Director

5. Dave Dionne, Superintendent

c. Before becoming incarcerated at HCDOC on

November 16, 2009 the plaintiff was on numerous medications for his general health and psychiatric issues

c2. It is common practice for HCDOC medical doctor

Dr. Matthew Maseric to not prescribe medication that

inmates were prescribed by their P.C.P. forcing them

to detox off of the particular medications. As an

example, despite numerous MRFs and a grievance

complaining about compulsive masturbation⁸

The plaintiff is a confessed full-fledged sex addict and attended Sex Addicts Anonymous and Sex and Love Addicts Anonymous out in the community on a regular basis. This is why he asked Dr. Matthew Moserovic to prescribe the Depo-Rovera shots to curb his urges to masturbate and urges to masterbate and urges to molest children once released.

the plaintiff was never prescribed his Depo-Rovera shots while incarcerated.

c-3 From November 16, 2009 through November 14,

2010, went without his Atypical and Risperadol and went through severe withdrawal symptoms such as suicidal ideation, nightmares, little sleep, depressed

mood and high anxiety. The plaintiff lost about 20~~pounds~~^{weight} pounds in two months.⁹

4 The Honorable Court can ask any doctor, psychiatrist, nurse, or pharmacist to state what symptoms patients may suffer by not getting these medications.

C4 When the plaintiff saw the defendant Dr. Matthew Masewic on January 11, 2010, he handed him a complaint the plaintiff filed with the New Hampshire Board of Medicine. Then the defendant referred his psychiatric care to Dr. Quentin Turnbull, the jail psychiatrist for consultation on the plaintiff's psychiatric medications.¹⁰

To When the plaintiff handed the defendant his copy of the complaint filed against him with the New Hampshire

Board of Medicine after reading it said, "this case is too complicated for me." The plaintiff believes Dr. Maxwell did this punishment for filing the complaint against him.

c-5 The plaintiff met Dr. Quentin Turnbull on January 20 or

27, 2010 and he decreased the plaintiff's prozac due to

the plaintiff lacking the ability to focus on tasks and not

being able to concentrate. Defendant Dr. Quentin Turnbull also

placed the plaintiff on a new medication called Remeron. He was

started on 20mg to be taken at bedtime to help the plaintiff's

depression and sleep disorder.

c-6 On Wednesday, February 24, 2010, defendant Dr.

Quentin Turnbull increased the plaintiff's Remeron to 40mg

to be taken at bedtime and did continued the plaintiff's Prozac at his request due to him being extremely forgetful.¹¹

When a person takes Prozac for a long period of time, (the plaintiff was on it for 8 years) s/he can lose the ability to remember things per defendant Dr. Quentin Turnbull

e-7. About April 16, 2010, the plaintiff saw defendant Dr. Quentin Turnbull and he told him the plaintiff thought he was going into a "manic" phase of his bi-polar condition.¹²

The plaintiff thinks he just got off suicide watch around that time but is not sure.

Dr. Quentin Turnbull wanted to increase the plaintiff's

Tegretol, but he asked for him to prescribe a blood level first; because back in 2005, the plaintiff had too high of a level and got sick. At the time he was on 600 mg at noon and 1000 mg at bedtime. The plaintiff's current dose (in 2010) was 800 mg twice daily.

~ C-8. About May 12, 2010, the plaintiff saw defendant Dr. Quentin Turnbull and he complained of not sleeping more than two to three hours per night for about the past two weeks.¹³

¹³ After April 29, 2010, the plaintiff received a printout of possible side effects of taking Lomeron (such as raising the plaintiff's cholesterol [checkes on floutstain, a cholesterol reducing medication]).

suicidal ideation, depressed mood and irritability—
all of which the plaintiff suffered from for more than
three weeks and notified medical of this on a medical
request form -- unsure of date--). Defendant Dr. Quentin
Turnball discontinued the plaintiff's Remeron, however, he
prescribed nothing to him to treat his depression or
insomnia issues.

Finally, after twenty-three nights of little sleep, the
plaintiff slept more than six hours a night.

C-9. Sometime in June 2010, the plaintiff saw
defendant Dr. Quentin Turnball for his monthly
check-up and complained about being moody and
irritable, so he prescribed 1mg of Trilafon to be taken
twice daily.

C-10

Sometime in the first half of July 2010, the plaintiff again saw defendant Dr. Quentin Turnbull at the Drs. request. The plaintiff told him he felt much better as far as his mood goes but felt hyper so often defendant Dr. Quentin Turnbull cut the dose of Trilafon in half telling tablet to be taken in the morning and scheduled another appointment in two weeks.

C-11

About two weeks later (still July 2010), the plaintiff does not remember the reason why defendant Dr. Quentin Turnbull did this but was placed on another medication on top of the Tegretol and Trilafon

called Lemectil. The dosage was as follows: 50mg for two weeks; then 100mg for two weeks; then 200mg ~~then~~ thereafter.

C-II About August 6, 2010, the plaintiff was placed on suicide watch due to him banging his head on the back wall in his cell several times daily for the past three days and him writing this on a Medical (Sickcall) Request Form as well as having depressed mood and suicidal ideation.

C-II About September 8, 2010, the plaintiff saw defendant Dr. Quentin Turnbull and he increased the plaintiff's Tegretol to 600mg twice daily from 400mg twice

daily.¹⁴

14 The plaintiff stopped taking his medication about the last week of August 2010 because he was sick and tired of medical either letting his medications run out or expire and he would have to wait up to four days to get his missing medications from the pharmacy.

G3 When the plaintiff "mixed out" his one year sentence on November 4, 2010, he was given a prescription for his Tegretol and Buspar by defendant Dr. Quentin Turnball via Nurse Laura Morrison (not a defendant) which was never filled because on November 5, 2010, the plaintiff was given samples from his PCP, Dr. Peter Kyprop of Manchester Community Health Center, 145 Hollis

St. Manchester, NH (603) 626-9500 for all prescriptions that the plaintiff was on before his incarceration [due to having no money or insurance yet
[He was on SSI and Medicaid/Medicare before becoming incarcerated.]

C-14 Then on January 3, 2016, the plaintiff LKA The Cadillac Motel, 502 Chestnut St. Room 32), Manchester, NH 03101-1414 called his doctor's office and left a message with nurse Sara LNU stating he was out of his medications. She called in all prescriptions to Rite-Aid Pharmacy on Elm St in Manchester, NH. However,

the plaintiff never got a chance to pick them up
due to him packing his belongings and cleaning the
plaintiff's room to get his \$150 security deposit

back.¹⁵

¹⁵ The plaintiff was preparing to flee New Hampshire as he knew the police were after him because his laptop got seized at a local pawn shop on Christmas Eve 2010 and child sex abuse images AKA child pornography was found on it.

G5. On January 4, 2011, the plaintiff received a phone call from Juvenile Detective Thomas Craig at 0800 hours, to discuss the laptop seizure. (He was due to leave for Boston at 1700 hours. Reluctantly, the

plaintiff agreed to meet with him at 1400 hours.

c-6. At the conclusion of the interview, the plaintiff was placed under arrest for possessing child sex abuse images on his laptop computer and failure to report his online identifiers. He was sentenced to two ten-to-twenty year sentences running consecutive to each other on December 19, 2011.

c-7. At the plaintiff's medical screening while at HCDL on January 6, 2011, he filled out a release form for his medical records and several medical request form asking for his medication and whether or

not if his medications were in. He also eventually filed a grievance in a timely manner, when the MRI's got no satisfactory results.

CB. At the time of the plaintiff's arrest on

January 4, 2011, he was on the following medications:

to treat his bi-polar disorder, depression, anxiety, borderline personality disorder and paranoia illnesses,

1. Tegretol 400mg in the morning

and 600mg in the evening. This medication was

used to treat the plaintiff's bi-polar disorder

2. Risperadol 4mg at bed time. This

Medication was used to reduce the plaintiff's
paranoia and sex drive.

3. Elavil 100mg at bedtime. This
medication was used to help the plaintiff have a
good night's sleep.

4. Buspar 30mg twice daily. This
medication was used to reduce the plaintiff's anxiety.

5. Prozac 80mg in the morning. This
medication was used to treat the plaintiff's depression.

C-19. The plaintiff saw defendant Dr. Quentin
Turnball in February 2011 and was only prescribed

his Tegretol and Buspar¹⁶

Sometime in February 2011, the plaintiff was written up for hoarding his Buspar. What happened was he had a herpes outbreak & that got infected, resulting in a fat lip. The end result was the plaintiff lost his Buspar.

The plaintiff appealed the hearings officer's decision to the Superintendent and lost. Disciplinary Decisions are not grievable per HDCC Policy.

The plaintiff was on the following general health medications before becoming incarcerated at Hillsborough County Department of Corrections on January 4, 2011:

1. Naproxen 600mg p.r.n. for

Knee pain due to him being obese. He also used this medication for hip pain from surgery as a teenager. The new ailment started after this medication was prescribed for its original purpose

2. Lytrel 10mg to be taken at bedtime. This medication prescribed because in March 2003, the plaintiff was diagnosed with a swollen prostate.

3. Synthroid 125mg to be taken in the morning. This medication was prescribed because the plaintiff was diagnosed with hypothyroidism

in January 2008 at New Hampshire Hospital.

4. Pravastatin 20mg to be taken at bedtime. This medication was prescribed because the plaintiff was diagnosed with high cholesterol, in July 2009.

5. Zantac 150mg to be taken in the morning and at bedtime. This prescribed because the plaintiff was diagnosed with acid reflux disease in 2006 (while incarcerated at New Hampshire State Prison).

6. Depo Provera 1ml/bottle to be

injected every two weeks. This plaintiff was prescribed this medication to reduce his sex drive. The plaintiff compulsively masturbates and has urges to molest children. He started this medication in August 2009 and stopped when he became incarcerated from November 16, 2009 through November 14, 2010. The plaintiff started it again when released. ~~The plaintiff~~ ^{he had} three doses by the time the plaintiff got arrested again on January 4, 2011.

The plaintiff was not put on all of his medications at the time of his incarceration for above

general health issues until seen by defendant

Dr. Matthew Masewic, M.D., in February 2011.¹⁷⁻¹⁸

17

It is common practice for Hillsborough County Department of Corrections Medical Doctor to not prescribe medications that inmates were prescribed by their Primary Care Provider

The plaintiff was never ~~prescribed~~
prescribed his Depo Provera shot while incarcerated
and is a full-fledged sex addict.¹⁸

18

The plaintiff even filled out several Medical Request Forms and he did file a grievance. The result of the grievance was if the plaintiff has more medical information to provide, give it to medical staff so they can get his medical records to verify the medications the plaintiff is on. This was already done. It is against HCDOC Policy to appeal a grievance decision; once a decision is rendered, it is set in stone so to speak.

Point being, the plaintiff could not griev the defendant Dr. Matthew Masewic denying giving him his

DepoProvera shots two-to-four months before maxing out his one year sentence, as it takes that long to take effect.¹⁹

¹⁹ The plaintiff even brought all medication bottles from Rite-Aide with him when he became incarcerated on November 16, 2009. Nurse Laura Morrison (not a defendant) told him she could not use the pills as they have no way of knowing if the pills in the bottle are what the bottle states it is. However, medical staff could have called Rite-Aide to verify the plaintiff receives these medications without waiting to receive his medical records.

d. The plaintiff going without his medications for several weeks at the onset of each of his two incarcerations caused severe stress, anxiety, depression, suicidal ideation, as well as him getting scores on his peers

from the plaintiff frequently masturbating which the
Deputy Rovera helped with as did the four mg of
Risperadol.

Allegation VII Denial of Incoming Religious Material

- a. The plaintiff Jonathan Andrew Perfetto's First, Eighth, and Fourteenth Amendments to the United States Constitution were violated by this allegation.
- b. The defendant's of this allegation are:
 1. Jane Doe, Mail Clerk X2
 2. Captain Marc Cusson, Chief of Operations
 3. Dave Dionne, Superintendent

c. In January 2010, the plaintiff received a yellow "contraband slip" stating that a bible and a book were rejected by the mail clerk because the package came by Federal Express. The bible was a King James Version and the book was 3 books in one titled "Book of Mormon", "Pearl of Great Price", and "Doctrine and Covenants".

c2. In February 2010, the plaintiff received a yellow "contraband" slip stating three volumes of Poems of Rebekah were denied. The jail claimed that Gospel Messenger Service was not a bona fide

publisher. This was sent from Gospel Messenger Service and they did mail the plaintiff a letter stating they published their own materials. Gospel Messenger Service is in Lancaster, NH.

c-3. The plaintiff wrote an IAF to Captain Cusson, Chief of Operations stating he had a letter from Gospel Messenger Service proving they followed HCR Policy and was still denied. He then filed a grievance.

c-4. In March 2010, the plaintiff again received a yellow "contraband" slip stating pamphlets from Gospel Messenger Service were denied due to

multiple copies of the same pamphlet and intended for distribution which is not allowed.

c5. The mail policy of the Hillsborough

County Department of Corrections states:

"... Any inmate correspondence including newspaper, magazines and books must be received from a publisher or bookstore via the United States Postal Service. Any correspondence received from a private courier or private mail agency (like Federal Express) will not be accepted."

(located on p.7 para. 2 of the HCDOE 2005 edition of the

inmate handbook.)

d. Not only was the plaintiff's Constitutional right to practice his religion violated by the mailroom refusing the above items, it constituted cruel and unusual punishment because the plaintiff knows Federal Express takes pride in the way they search their packages for possible contraband with the X-Ray technology that is available in this day and age; HCDX does not have a present interest in isolating postal services. One is not better than the other. They are all the same.

Allegation VII Medical Department Letting
The Plaintiff's Medications Run Out

a. The plaintiff Jonathan Andrew Perfetti's Eighth and Fourteenth Amendment(s) to the United States Constitution were violated by this allegation.

b. The defendant(s) of this allegation are:

1. Denise Ryan, Medical Administrator

2. Bill Fuller, Medical Director

3. Dave Disney, Superintendent

c. On November 16, 2009, the plaintiff was sentenced to one year at HDCR for false report

to a Corrections Officer. On several occasions Denise

Ryan, Medical Administrator allowed the plaintiff's medications to run out ~~and expire~~. He filed a grievance after each occasion.

- c2. Also, while the plaintiff was incarcerated at HCDOC until November 14, 2010, the defendant Denise Ryan allowed his medications to expire about two to three times.
- d. The plaintiff went through withdrawal symptoms on his medications and had to wait two to ~~four~~ three weeks before his level got normal again on his psychiatric medications.

Allegation IX Safety Violations

a. The plaintiff, Jonathan Andrew Perfetto's
as well as Title 42 USC 15601-
Eight and Fourteenth Amendments to the United
15601
States Constitution were violated by this allegation.

b. The defendants of this allegation are:

1. % FNU (Rowell)

2. % FNU Goodyear (youngesone)

3. % FNU Price

4. Lt. FNU Beyer

5. Captain Gifford Hiscoe, Chief of Security

6. Dave Dionne, Superintendent,

7. Bill Fuller, Medical Director

8. % Gailling

c. In Mid-June 2010, defendant % FNU

Escoell allocated the classification inmates²⁰

²⁰ Protective Custody Inmates share a pod
with classification, special status, Suicide watch,
waiting hearing and sometimes pc max inmates

to not lock in their cells, by not doing a round
before letting protective custody inmates for 8p.m.
med pass. They were hanging out in the work-
out area on the top tier while the plaintiff and
other p.c.'s were waiting in line for their medication.

The plaintiff ^{turned} looked around and looked up and they waved and laughed. The defendant must have heard them laughing and said to them, "What the ~~f***~~?" Lockdown now, and popped their doors open and shook his head in disbelief.

c1 The plaintiff had filed a grievance and defendant never got a response. He did, however, speak to Captain Gifford Hiscoe, Chief of Security about the incident and since the plaintiff was not injured, no action was going to be taken.

c2 About May 8, 2010, the plaintiff

received a letter from then Superintendent James
O'Mara (now retired) stating that since more than
thirty grievances were filed by him in a six month
period, the plaintiff can only ask for a grievance
for medical or safety issues only (see p. 18 of
HCDX Inmate Handbook 2005 Edition.)

c-3 The plaintiff believes this is why his
grievance was not answered or returned to him.
(i.e.: no physical harm was done to the plaintiff
by the two inmates that did not lack in some
Safety issue, in the Captains or Superintendents'

eyes. The plaintiff disagrees.

c4 Then sometime in July 2010 Defendant Correctional Officer Goodyerez (younger one) allowed a classification inmate in cell 12034 out for dinner with the plaintiff and other protective custody inmates. Grievant was requested via IRF, but it was denied due to ~~protective custody~~ ^{Allegation IX} para C-2.

c5 Also, in July 2010, Defendant Correctional Officer FNU Price allowed the same inmate in 2034 out of his cell for 8 A.M. meal pass at the same time as the plaintiff and other protective custody inmates.

The plaintiff told the defendant of his ~~error~~ mistake and ordered the inmate to return to his cell. The plaintiff was called a snitch and threatened to have piss thrown on him by ~~other~~ classification inmate John Doe. The inmate received a 24 hour lock up.²¹

²¹ The plaintiff, at the time lived in cell 2038 lower bunk and is unaware if the inmate in question was written up. A unit officer or other Correctional Officer assisting him/her can give a "D" ticket sanction without being written up.

c6 Then in August 2010, defendant _____ (Correctional Officer FN) Sappenzza allowed a

classification inmate to be out of his cell while protective custody inmates and the plaintiff were conducting 8 AM med pass. When he did a round, the defendant noticed an inmate who lived in ^{cell} Z045 was using the phone. The inmate was ordered to lock in and was complied to immediately.²²

²² Cell Z045 was still open so defendant FNU Sappenzza could have prevented this by checking his control panel switches as well as doing a round before letting the plaintiff and other protective custody inmates out of their cells for 8 AM med pass.

c7 Starting on September 7, 2010, the plaintiff was getting harassed and assaulted with a wet towel on his bare back and sides by his cellmate Paul Dimmick. The plaintiff repeatedly told him to knock it off.

c8 Later that night, the plaintiff woke up to Paul masturbating. He got up and said, "Do you mind?" and took a leak. The defendant then jumped off his bunk as the plaintiff was washing his hands. Then Paul said to the plaintiff, "I shot my load in my ccop and you're

going to drink it," The plaintiff retorted
" You're fxxx'g crazy, no fxxx'g way" Paul
then slapped the defendant with a backhand
so he would not leave any marks. The plaintiff
got a bloody nose. Then the female officer did
a round and asked the plaintiff if he was
okay and how he got the nose bleed. The
plaintiff got scared and told the female officer
that he is prone to bloody noses (which is true-
it in his medical file)

c-9. As soon as she left, Paul grabbed the

cup, filled it with Kool-Aid™ and past it to the plaintiff and said, "Drink up, if you know what's good for you." Reluctantly the Plaintiff drank the Kool-Aid™.

C-10 On the evening of September 8, 2010,

~~He~~ Paul and the plaintiff were playing poker for canteen (I agreed to give him two desserts as I was indigent). When Paul told his cellmate he was horny and wanted a blowjob. The plaintiff looked into his eyes and Paul said, "I won't take no for an answer."

The plaintiff assumes he saw his resistance. So the plaintiff complied out of fear of getting assaulted again. He promised himself the victim would write an IRF asking to be removed from this cell the next day. Paul demanded that the plaintiff let him ejaculate in his mouth.

GII On September 9, 2013, Paul Dimmick woke ~~the Plaintiff~~ up by throwing a roll of toilet paper at his scrotum. The plaintiff was in his boxers and t-shirt as it was hot. So the

plaintiff
discreetly filled out an IRF later that evening
when Paul took a nap saying, "I'm being physically
and sexually assaulted by my cellmate Paul Dinnick,
could he please be moved." He turned in the IRF
^{defendant}
to his unit officer, Correctional Officer FNU ~~Cowell~~

Cowell²³

23 The plaintiff is not sure if
Correctional Officer Cowell was the Unit Officer
or relieving the unit officer on Break.

during 8 p.m. med pass. He did not read it, it was
set aside to read later. Nothing was done that
night.

c-12 Then on September 10, 2010 at about 0800 hours, the plaintiff's cellmate started rough housing with him again by assaulting the plaintiff with a wet towel (he was topless due to the heat) and making a rat tail with it and giving him "purple nupcles" culminating to them to playing punch for punch against the plaintiff's wishes. Eventually, the plaintiff fought back to defend himself and let all his pent-up anger reach the surface and fought back to the best of his ability. Defendant FNU Goedling was the unit officer that

day

C-13 When the plaintiff threw his first return punch, his right fist connected with the plaintiff's cellmate's right upper arm and turned inward. The plaintiff screamed so hard and thought he had broken his wrist, and yelled

"you son-of-a-bxxxx." Defendant FNU

Grubing did nothing

C-14 At 12 p.m. med pass the plaintiff reported his wrist injury while getting his ibuprofen to Nurse Lynda LNU on first shift (at ~~adefendant~~)

plaintiff
a defendant), Since the ~~defendant~~ did not
want to get into trouble, he lied about how the
injury happened by stating the plaintiff fell off his
bunk and tried to break his fall to prevent facial
injury.

(-15) Then about 1420 hours on the same
date, Field Training Officer (now Sgt. I not a
defendant), was doing a round and the plaintiff
told him that if his cellmate returned to this cell
^{Paul}
(~~he~~ was in the attorney room coming back from
the gym) he was going to get stabbed with a

pencil. Of course the plaintiff was transferred to RRU and sent to jail for threatening his cellmate and a "Keep separate" was in place by classification until he was released on November

14, 2010

C-16 While awaiting hearing, the plaintiff wrote a letter to Paul Dimmick's "babymama" explaining that he made the plaintiff drink his sperm and that if she did not believe the plaintiff - he knew it tasted like StarburstTM Candy (he might have said it tasted fruity.)

c-18

Point being, she and her mom came to the jail and spoke to Captain Hiscoe, Chief of Security saying they do not want the plaintiff writing again or they will press charges.

c-18

The plaintiff wrote her to get "even" with Dimmick because he offered to help her win full custody of their child. The plaintiff did not know the mother was a minor.

c-19

On March 20, 2011, between 0700 hours and 0800 hours (the plaintiff could not see the clock from his cell) and first shift was on. But

before 8 AM (which passed) the plaintiff wascelled
with inmate Walter Alexis. The plaintiff was sleeping
and had a towel covering his eyes towards the back of
his head because Walter wanted the bright
light on to write a letter and the plaintiff wanted
to sleep

C20 After sometime, the plaintiff woke up
to Walter masturbating him and he ejaculated
immediately as he was having a sexual dream. When
~~the~~ plaintiff realized what Walter
~~The iron March 21, 2011, at~~ was doing,
he told him to not do that ever again.

C-21 Then on March 24, 2011, at about 1153 hours (the plaintiff and Walter Alexis just locked in from conducting out of cell time on unit 2B as a protective custody maximum security inmate.) within a minute or two of that time the plaintiff and his cellmate started arguing. (Walter was sitting at the desk facing the plaintiff who was on his side in bed facing his cellmate. After a few minutes of arguing, Walter Alexis shoved the plaintiff's head into the wall causing it to swell at his left temple area. It took two to three

(weeks to heal)

C-22 Then about March 23, 2011, the plaintiff filled out an IRI asking for a grievance form and was given one by Sgt. Gordon. It was investigated by defendant Captain Gifford Hisee and the plaintiff never got a final disposition.

C-23 Then about March 23, 2011, wrote an IRI for a grievance form and did not receive it. This was done because the plaintiff felt he should not been housed with a physically

and sexually aggressive inmate. Again, the plaintiff never received one. Soon April 4 or 5, 2011, he wrote another DIF requesting a grievance form and defendant Lt. FOU Plaintiff Boyer spoke with the ~~defendant~~ that afternoon and explained if the plaintiff does not tell staff of a problem with any inmate (the plaintiff did not know inmate Walter Alexis or his reputation at the time they became cellmates about March 16, 2011) then the plaintiff can becelled with any protective custody inmate so this request for a

grievance ~~was~~ ~~from~~ frivolous and was asked to write an IRF to withdraw the grievance request to which the plaintiff complied out of fear for being written up which could hinder his chances of getting out of maximum security.

- d. There are numerous safety violations that the defendants committed - some so blatant (the two PREA violations) that staff need to be retrained on how to handle multiple classification units or do not have them. As far as the physical and sexual abuse by inmates

goes; staff need to be retrained on how to handle sexual assaults

Allegation 8 Improper Mail Procedures

- a. The plaintiff's First and Fourteenth Amendments to the U.S. Constitution were violated by this allegation.
- b. The defendants of this allegation are:
 - A. Capt. Marc Lason, Chief of Operations
 - B. Dave Dionne, Superintendent
- c. The plaintiff was incarcerated at HDOC from November 16, 2009 through

November 1st, 2010 and again from January 4 through December 19, 2011, [from time to time he received "yellow" contraband" slips for reasons varying from multiple copies (religious material) to letters written in pencil to a package being shipped by Federal Express.

GZ The Constitution guarantees inmates to practice their religion. And the Bible requires people to preach the "good news of God's Kingdom. Sometimes this involves

giving out tracts, Bibles, or pamphlets.

Doing this is against IFCDOC policy

because all incoming property has the inmates name and ID number on the inside cover

for security purposes. Act 5:29 states,

"Then Peter and the other apostles said,

"We ought to obey God rather than men."

(KJV) Also, Matthew 28:19,20 states, "Go

ye therefore and teach all nations, baptizing

them in the name of the Father, and of the Son, and

of the Holy Ghost. ²⁰Teaching them all things

whatsoever I have commanded you; and lo,
I am with you always, even unto the end of
the world. Amen²²¹ (KJV) Finally, 1 Corinthians
1:17 states, "For Christ sent me [Paul] to write
baptize but to preach with wisdom & words
[to speak] lest the Cross of Christ ~~be~~
should be made of none effect (KJV 100th
Anniversary Edition)

The plaintiff suffered from loss
of contact with his mom, denial of reading a Bible
(it was shipped by Federal Express) for two months

and not allowed to preach the Gospel, which affected his relationship with Church God.

Allegation XI Loss of Freedom

a. The plaintiff's Fifteenth, Eighteenth and Fourteenth Amendments to the U.S. Constitution were violated by this allegation.

b. The defendants of this allegation are:

- A. Denise Ryan, Medical Administrator
- B. Bill Fuller, Medical Director
- C. Dave Donne Superintendent

C. When the plaintiff, Jonathan Andrew Perfetto, was found guilty of false report to a Corrections Officer and sentenced to one year at HCCDOC on November 16, 2009, he was prescribed 1ml shot of DepuRevera every two weeks since July 2009 to curb his frequent masturbation and his urges to molest children, which he did have before being prescribed the medication.

C. When the plaintiff saw defendant Dr. Matthew Morsaur on January 11, 2010,

he told him about being on the controversial drug and explained he currently had problems with compulsive masturbation and fantasized about undressing children when masturbating and he refused to prescribe the Depo Provera.

63 When the Plaintiff made out his one year sentence on November 14, 2010, the next day he got an emergency appointment to see his Primary Care Physician Dr. Peter Kipro at Manchester Community Health Center, 145 Hollis St., Manchester, NH 03101

(603)626-9500 and was seen to start the DepoRovera shots again.

About December 3, 2010, the plaintiff lapsed²⁴

²⁴ Sex Offender Treatment Providers define a lapse as an event that can lead to reoffending.

and bought a laptop from 13H Pawn.com Elm St in Manchester for \$200 and a leather Canyon bag for \$20.²⁵

²⁵ The plaintiff says he lapsed because in 2002 he was convicted for possessing child pornography on his laptop computer. However, he did not plan to reoffend

due to the fact he had a Fourteen-to Twenty-Eight year suspended sentence with conditions of no contact with minors and no access to the internet.

c4 The plaintiff further relapsed when a neighbor offered to allow him to use his WiFi connection for \$10 per month on about December 8, 2010.

c5 The plaintiff relapsed by downloading child ~~sex abuse~~ images (the new term for child pornography) two days later. He was arrested on January 4, 2011 and held on ~\$100,000 cash bail. On December 19, 2011

the plaintiff was sentenced to Twenty to Forty
with Three-and-a-half to Seven years suspended
for five years once released.

26 The plaintiff lost control of his sexual
impulsivity²⁶

26 Even though the plaintiff was
getting his DepoProvera shots, it takes twelve to
sixteen weeks to get the proper medicated
effect

by not getting his medication (Risperidol &
DepotProvera) during his 2009-10 incarceration
which led him to commit his current
offense. Now he has lost his freedom to live

a productive member of society for a minimum of Twenty years (served Thirty-four months so far) and also lost his ability to earn a living.

d. As a result of this sentence, it is likely the plaintiff will be institutionalized and not want to be released into society when he is eligible for parole on January 5, 2030,

Allegation XIT Destroying Legal Discovery

a. The plaintiff's Sixth, Eighth and Fourteenth Amendments to the U.S. Constitution were violated by

this allegation.

b. The defendants of this allegation are:

A. Lt. FNU Robbins

B. Capt. Marc Curran, Chief of
Operations

C. Dave Dianne, Superintendent

c. While incarcerated at HCCX from

January 1, 2011 through December 19, 2011 the
pro se plaintiff, Jonathan Andrew Perfetto,
prepared his 42 CFC § 1983 (in his cell) and typed it
in the law library over a six month period²⁶

26

I took the plaintiff so long due to the fact he had a bible study & visiting one of his scheduled days each week with Jehovah's Witnesses. Inmates at HC DOB are sicked off law library at the minimum required by the U.S. Supreme Court - 2 days a week for two hour sessions,

C-1

Sometime in September or October 2011, the plaintiff made copies of his lawsuit at a cost of \$150 (Thirty pages times twenty-five cents) plus he was forced to use the US Postal Service to serve the defendants instead of using in-house defendants mail, ~~per~~, Captain Marc Cusson and Lt. FNU Robbins. The bill was \$36.32. The plaintiff

has his receipt.²⁷

²⁷ The plaintiff's intentions were to file this suit in Hillsborough County Superior Court, Northern District instead of federal court.

c-2 The plaintiff made the error of serving the law suit to each defendant without a formal summons from the Hillsborough County Sheriff's Department, violating the local Court Rules of the Superior Court.

c-3 The plaintiff wrote a letter to Dave Dionne about December 15, 2011 asking for the copies to be returned to him at the prison as he was

he was being sentenced on the 19th and gave him his ID# as prison ID#s do not change

c4 When the plaintiff did not get a response, so

Some time in January 2012, the plaintiff wrote to Dave Dionne again. This time he responded that

all copies were destroyed²⁸

²⁸ The plaintiff still possesses
this letter.

d. By the defendant's requiring to have the plaintiff utilize the United States Postal Service instead of In-House Mail caused an unnecessary expenditure to him. The same goes for Supt. Dionne

by ordering allegations of the plaintiff's suit destroyed.

d-1 By the defendant's doing above, the plaintiff had to retype his lawsuit causing a delay in the plaintiff's constitutional right to access the courts.²⁹

²⁹ When the plaintiff moved to the Mental Health block on April 29, 2011 at Northern NY Correctional Facility in Berlin, VT, the law library's only typewriter broke in June, and was in SITU when he originally filed this suit in October 2012. Now the plaintiff currently only gets one hour of law library a week due to being in mental health groups in the prison's Residential Treatment Unit.

Allegation XIII Medical Administrator Not Doing

Her Job Correctly

a. The plaintiff's Eighth and Fourteenth Amendments to the U.S. Constitution were violated by this allegation.

b. The defendant(s) of this allegation are:

A. Denise Ryan, Medical Director

B. Bill Fuller, Medical Director

C. Dave Dionne, Superintendent

c. On numerous occasions during the原告's incarceration at

HC Dec from November 16, 2009 through November 14,

2010 and again from January 4, 2011 through December 19, 2011, defendant Denise Ryan allowed his medications to run out or expire.

- c. Upon entry at HCDoc during the plaintiff's both incarcerations, he had to go off of his medications, which any patient/inmate should not do as some medications have serious side effects when a person stops taking his medication.

- d. By the defendant's committing this allegation, the patients' medication level

frequently dropped and took longer to get the full benefit his medication. By him being forced to most of detox off his medication, he got little sleep was irritable, and was not well behaved

Allegation XIV Correction's Officials Releasing
A Suicidal Inmate

a. The plaintiff's Eighth and Fourteenth Amendments to the U.S. Constitution were violated by this allegation.

b. The defendants of this allegation are:

A. Field Training Officer FNU Mackey (sp?)

B. Sgt. John/Jane Doe (FTC)

Markey's Supervisor

C. Christine Melnick

D. Captain Gifford Hiscoe, Chief

of Security

E. Denise Ryan, Medical Administrator

F. Nurse Laura LNU

G. Bill Fuller, Medical Director

H. Dave Dionne, Superintendent

c. When the prose plaintiff, Jonathan Andrew
Bertetto, maxed out his one year sentence for false

report to a Corrections Officer on November 14, 2010, he was on suicide watch wearing a safety smock and housed in the Restrictive Housing Unit Awaiting Hearing for inpatientization to % Leify (not a defendant).

At no time while being processed out by defendants FTO Mackey and Nurse Laura LNU (she gave me a prescription for the medication Dr. Turnbull had me on at the time) did he ever refer to Emergency Services at Manchester Mental Health nor was the local police department notified. The

plaintiff at the time, was not aware that

Greater Manchester Mental Health had a 24 hour

Emergency Hotline ~~302-29~~

~~302-29~~

Sunday

The plaintiff was released and

so he called his mom. ~~30~~

~~30~~

If she was not home, the plaintiff was going to end his life by jumping over the Granite St. Bridge and plunge into the strong current of the Merrimack River. The plaintiff is not a good swimmer and knows of rocky areas to land where he could get injured.

and she answered the phone and he told her the

plaintiff was upset and need to talk so he came

came over and she had him spend a few days
until he could find a place to live.

c2 The plaintiff's mother was not aware
of Emergency Services either so the plaintiff
made an emergency appointment with his
primary care physician and was seen the next
day (Tuesday). The plaintiff was released on a
Sunday) and given all of his medications and ~~the~~
referred to Emergency Services in case
something happened in the future.

d By the plaintiff not being referred to

emergency services through Greater Manchester Mental Health, he did not get immediate mental attention. This put the community in danger because back in 1983 and 1995, the plaintiff has been homicidal when not treated by mental health in ~~the~~ Manchester

31 In the past, Greater Manchester Mental Health has refused the plaintiff treatment.

d) Point being, if the plaintiff's mother was not home, the plaintiff could have brought the BB gun at Kmart and used it to hold

people hostage as an attempt at getting

Allegation XV Assault By A Staff
or
Member

a. The plaintiff's Eighth and Fourteenth Amendments to the US Constitution were violated by this allegation.

b. The defendant's of this allegation are:

A. Field Training Officer FTO

Piumtini

B. Sgt. June/Tahnee CFTO

Piumtini's Supervisor

C. Captain Gifford Hiscox,

Chief of Security

D. Dave Dionne, Superintendent

E. Lt. FMS Reilly

etc. On the evening of November 30, 2014

at about 9:30 P.M. on ³²

³² The plaintiff could be wrong as far as the time of day, he is going to rely on discovery to get the exact time as strip searches are part of the daily activity log.

Numerous staff were conducting strip searches³³

³³ Unit 2B houses RTU and maximum security inmates the plaintiff was housed in cell 5 awaiting hearing therefore was susceptible

on demand strip searches at least once per day -
Sometimes once per shift

c-1. When it was time for the plaintiff
to Strip, he was told to face the wall next to his
cell door (inside the cell) and put his arms behind
his back interlocking his fingers, so he
could get handcuffed so he could be escorted
out of cell ^{so} and his cell could be researched. The
plaintiff complied with all orders.

c-2. Lt. Riley, Sgt. Brown and Correctional
Officer FWU Plomtin (Now field training)

Officer) were conducting the searches. The plaintiff believes one or two more "white shirts" were there as well, but does not remember whom else. The plaintiff believes the cameras should reveal who was there on that evening during the strip search.

a3 Defendant Correctional Officer

Plumtin (now Field Training Officer) handcuffed the plaintiff and placed him^{him} facing the wall to the left of his cell door on the pad and searched him.

4

While the plaintiff's cell was being searched, defendant Lt. FNU Riley asked the plaintiff, "I hear you're leaving us tomorrow." The plaintiff said, "Yes, I am. I can't ^{st.} wait." Then defendant, FNU Riley Said, "So are you going to touch kids or download kiddie porn again?" The plaintiff said (to be wise ass) "You better ~~fix~~ believe it" ~~fix~~ Defendant Lt. FNU Riley then called the plaintiff a "freak" and told him to get in his cell and face the back wall.

(b) The plaintiff was told to take off his safety gear by a voice he recognized as defendant Correctional Officer FUD Plaintiff (now Field Training Officer)³⁴

³⁴ The plaintiff was on suicide watch since about November 10, 2014, and as he turned to face the defendant, he started looking saying, "so you're going to make it kick back." Thereafter, the plaintiff faced, defendant, Correctional Officer (now Field Training Officer), he punched him so hard in the right eye, the plaintiff lost his footing. The plaintiff again

decided to be a wise ass and said, "Is that all you got, that didn't even phase me." The plaintiff got what he deserved - another punch in the eye and the plaintiff fell to the ground and defendant Correctional Officer (Now Field Training Officer) said, "If I see you on the street, I will cut your balls off.³⁵

³⁵ While the assault occurred, defendant Lt. TAK Rile, Sgt. FWD Brown, and an unknown officer were blocking the cell doors so the cameras could not see what was going on.

C-6 The next day during med pass, Nurse

Lauria Morrison (Not a defendant) was conducting
Metapass and exerted either by Correctional
Officer Maloney or Correctional Officer Barbera.
and she and he intended to know how the
plaintiff got his black eye and abrasion on his
upper forehead. The plaintiff was afraid to
say anything because %'s protect each other. Also
Lauria promised the officer was bound to keep
what he said confidential by HIPPA. So the
plaintiff told the truth.

c-7

At 7:30 A.M. on the 11th of

November 2010, Sgt. ENJ Gordon and
Sgt. ENU Books escorted the plaintiff^{PP} to
Booking to be processed out. On the way
in a secured hallway where no trustees have
no access, the plaintiff was pulled aside
by Sgt. ENU Gordon (not a defendant) and
asked out of concern, "Tell me what happened."
The plaintiff again hesitated. Again, Sgt. ENU
Gordon prodded with the ~~plaintiff~~, "I have a
mortgage, I don't care about protecting the
'code'. Now please tell me who did it."

The plaintiff said, "Yo Plontin." "Thank you, now that hasn't go hard. Don't worry, I will investigate this," Sgt. FL Gordon said.

The plaintiff could not apply for a part-time job for two weeks, until his eye and abrasion on his forehead were healed. In fact, the plaintiff got referred for a position as a cashier at Hess on Massachusetts St. in Manchester, but the plaintiff turned down the job because he was too embarrassed about what happened. The plaintiff realizes his

his own mouth got him into trouble and perhaps he may have caused defendant Correctional Officer Crow Field Training Officer FNU/Martin into him punishing the plaintiff again, but he is an adult and he has a badge, was clearly and abused that authority.

DEMANDS

b. For Allegation I, NO TRACKING OF MAIL

SENT AS INDIGENT, the pro se plaintiff Jonathan Andrew Perello, asks this ^{HONORABLE} Court

Injunctive Relief by having the Court
approve the enclosed form marked as Exhibit
I with Hillsborough County Department of
Corrections letterhead on it.

2. Also, the prose plaintiff asks this
Honorable Court for Nominal Damages in the
amount of \$5 against each defendant and for
each occurrence for HCDC officials not
having a way to keep track of their inmates' mail
that they send as indigent, totaling \$45 (three
defendants and three separate occasions.)

3. Again, the pro se plaintiff asks this Honorable Court for Compensatory Damages in the amount of \$1,000 against each defendant and for each occasion for HCDOC officials not having a way to track of their inmates' mail that they send as indignant, totaling \$6,000.

4. Finally, the pro se plaintiff asks this Honorable Court for Punitive Damages in the amount of \$2,000 against each defendant and for each occurrence for HCDOC officials not

having a way to keep track of their inmates' mail that they send as indigent, totaling \$13,000, for a grand total of \$18,045 for this ^{allegation}

5. For Allegation II NO TRACKING OF LEGAL MAIL, the pro se plaintiff, Jonathan Andrew Perfetto asks this Honorable Court for ~~Injunctive Relief~~ by having the court approve enclosed form marked as Exhibit II with itsborough Department of Corrections letterhead on it.

6. Again, the pro se plaintiff asks this

Honorable Court for Nominal Damages in
the amount of \$5 against each defendant and
for each occurrence for HCDoc officials not
having a way to log both incoming and outgoing
legal mail, totaling \$20 (three defendants and
one occurrence.)

7. Again, the pro se plaintiff asks this ~~Honorable~~
Honorable Court for Compensatory Damages
in the ~~amount of \$1,000~~ against each defendant
and for each occurrence for HCDoc officials
not having a way to log both incoming and outgoing

legal mail, totaling \$4,000.

8. Finally, the pro se plaintiff, asks this Honorable Court for Punitive Damages in the amount of \$2,000 against each defendant and for each occurrence for HCDC officials not having a way to log both incoming and outgoing legal mail, totaling \$12,020. For this allegation,

9. For Allegation III FAILURE TO SEND MAIL CERTIFIED, the pro se plaintiff Jonathan Andrew Perfetto, asks this Honorable

Court for Injunctive Relief by the Court ordering the defendants to allow inmates to send mail certified, provided the inmate has sufficient funds in their account.

10. ~~Also~~, the pro se plaintiff asks this Honorable Court for Nominal Damages in the amount of \$10 against each defendant and for each occurrence for HCDCC officials denying the plaintiff to mail a lawsuit certified to Hillsborough County Superior Court; even though he had sufficient funds in his

account, totaling \$50 (5 five defendants
and one occurrence.)

11. Again, the prose plaintiff asks
this Honorable Court for Compensatory
Damages in the amount of \$1,000 against
each defendant and for each occurrence for
HCDoc officials denying the plaintiff to mail
certified
a lawsuit to Hillsborough County Superior
Court; even though he had sufficient funds in
his account, totaling \$6,000.

12. Finally, the prose plaintiff asks this

Honorable Court for Punitive Damages in the amount of \$2,000 against each defendant and for each occasion for HDOC officials denying the plaintiff to mail a lawsuit certified to Hillsborough County Superior Court, even though he had sufficient funds in his account, for a grand total of \$18,000 for this allegation.

(3) For Allegation #1 POOR REQUEST FORM

Finally, the pro se plaintiff Jonathan Andrew Pereltz, asks this Honorable Court for Injunctive Relief to approve, ^{the} enclosed form

Marked as Exhibit III with Hillsborough
County Department of Corrections letterhead on
it.

¶. Also, the plaintiff asks this Honorable
Court for Nominal Damages in the amount
of \$10 against each defendant and for each
occurrence for the DOC officials not having a way
to prove the plaintiff's Inmate Request forms
were written, forcing him to write repeat IRFs
for the same reason, totaling \$240. (two
defendants and twelve occasions.)

15. Again, the prose plaintiff asks this Honorable Court for Compensatory Damages in the amount of \$1,500 against each defendant and ~~for each occurrence for HCDoc officials not having a way~~ ^{to prove}, the plaintiff's IRFs were written, forcing the plaintiff to write repeat IRFs ~~for~~ the same reason, totaling \$36,000.

16. Finally, the prose plaintiff asks this Honorable Court for Punitive Damages in the amount of \$3,000 against each defendant and for each occurrence for HCDoc officials not having a

way to prove the plaintiff's I RFs were written,
forcing him to write repeat I RFs for the same
reason, totaling \$72000. The grand total is
\$108,240 for this allegation.

17. For Allegation V Poor MEDICAL

REQUEST FORM FORMAT, the pro se plaintiff,
Jonathan Andrew Beforto asks this Honorable
Court for Injunctive Relief to have the enclosed
form marked as Exhibit IV with Hillsborough
County Department of Corrections letterhead on it.

18. Also, the pro se ~~Plaintiff~~ ^{Plaintiff} asks this Honorable

Court for Nominal Damages in the amount of \$10
against each defendant and for each occasion for
HCDX officials not replying to his Medical Request
Forms in a timely manner, totaling \$300 (three
defendants and twelve occurrences).

19. Again, the pro se plaintiff asks this
Honorable Court for Compensatory Damages in
the amount of \$1,500 against each defendant
and for each occurrence, for HCDX officials
not replying to his MRF's in a timely manner,
totaling \$54,000.

20. Finally, the prose plaintiff asks this Honorable Court for Punitive Damages in the amount of \$3,000 against each defendant and for each occasion for HCDOC officials not replying to his MRF's in a timely manner, totaling \$108,000; for a grand total of \$162,360 for this allegation.

21. For Allegation VI DENIAL OF FACILITY
PRESCRIBING MEDICATIONS PRESCRIBED
BY THE PLAINTIFF'S PHYSICIAN, DR.
KIPROP, the prose plaintiff ^{Jonathan} ~~asks this~~
~~Andrew Perfetto~~
~~Honorable for~~, ask this Honorable Court for

Injunctive Relief by having the Court order HCDoc officials to come up with a policy that ensures incoming inmates to get all prescribed ^{and} medication by their PCP or psychiatrist.

22. Also, the prose plaintiff asks this Honorable Court for Nominal Damages in the amount of \$10 against each defendant and for each occurrence for the following Reasons:

a) Upon arrival at HCDoc on November 16, 2009, defendant Dr. Matthew Masewic did not prescribe the plaintiff's Pristiq, Risperadol, and

DepoProvera shots.

a-1) Defendant Denise Ryan is also liable for this allegation for ^{her} not contacting the plaintiff's pharmacy to confirm his current medications as well as defendants Bill Fuller and Dave Dionne for having such a policy

b) On January 11, 2010, defendant Dr. Matthew Masewic referred the plaintiff's treatment to defendant Dr. Quentin Turnbull, forcing him to wait longer to get psychologically stabilized on psychiatric medication. He did

This because he handed him his copy of a complaint the plaintiff sent to the NH Board of medicine.

(c) On January 4, 2011, defendant Dr. Matthew Masewic forced the plaintiff to detox off of his, Risperadol, Elavil and ^{the plaintiff's} DepoProvera shots upon his arrival at HCDCC.

(d) Also, defendant Denise Ryan is liable for this allegation for her not contacting the plaintiff's pharmacy to confirm his current medications as well as defendants Bill Fuller and

Dave Dionne for having such a policy,

d) Not all general health medications

were prescribed by defendant Dr. Matthew

Masewic until seen by him in February 2011,

d-i) Also, defendant Denise Ryan is liable

for this allegation for not contacting the ~~plaintiff's~~

plaintiff's pharmacy to confirm his current

medications as well as defendant Bill Fuller and

Dave Dionne for having such a policy,

e) Defendant Dr. Quentin Turnbull

neglected to prescribe anything when the

plaintiff filled out an MRF sometime in
or May
April 2010 stating he could not sleep resulting in
twenty-three days of little sleep.

e-i) Also, defendant Denise Ryan
is liable for this allegation for not notifying Dr.
Turnball of the plaintiff's problem or failing to
schedule a sooner appointment as well as defendants
Bill Fuller and Dave Dionne under the supervisor
liability clause.

e-f) About May 12, 2010, defendant
Dr. Quentin Turnball discontinued the plaintiff's

Remeron, but gave nothing to him for his depression and insomnia issues.

g) During the plaintiff's 2009-10 incarceration, defendant Dr. Quentin Turnbull prescribed three different medications (Remeron, Trilafon, and Leomecitol) that did not work.

h) When the plaintiff saw defendant Dr. Quentin Turnbull in February 2011 for his intake, he only prescribed two (Tegretol and Buspar) of the four medications the plaintiff was on upon admission to HCDCC, totaling \$~~245.50~~ \$600

23. Again, the pro se plaintiff asks this honorable Court for Compensatory Damages in the amount of \$2,000 against each defendant and for each occurrence due to the following reasons:

a) Upon arrival at HCO on November 16, 2009, defendant Dr. Matthew Nasewic did not prescribe the plaintiff's Risperadol, Pristiq, and his Depo Provera shots.

a-i) Defendant Denise Ryan is also liable for this allegation for not contacting the plaintiff's pharmacy to confirm his medications,

as well as defendants Bill Fuller and Dave Dionne for having such a policy.

b) On January 11, 2010, defendant Dr. Matthew Masevic referred the plaintiff's treatment to defendant Dr. Quentin Turnbull, forcing him to wait longer to get stabilized on psychiatric medication. He did this because the plaintiff handed him his copy of a complaint he sent to the NH Board of Medicine.

c) On January 4, 2011, defendant

Dr. Matthew Majewic forced the plaintiff to detox off of his Risperadol, Elavil and the Plaintiff's DepoProvera Shots upon his arrival at HCDOC.

c-1) Defendant Denise Ryan is also liable for this allegation for not contacting the plaintiff's pharmacy to confirm his current medications as well as Bill Fuller and Dave Dionne for having such a policy.

d) Not all the plaintiff's general

health medications were prescribed by defendant Dr. Mathew Masevic until the plaintiff was seen by him in February 2011.

d-1) Also, defendant Defendant Denise Ryan is liable for this allegation for her not contacting the plaintiff's pharmacy to confirm the plaintiff's medications as well as ^{defendant's} ~~Bill~~ Fuller and Dave Dionne for having such a policy.

e) Defendant Dr. Quentin Turnbull neglected to prescribe anything when the

plaintiff filled out an MRF sometime in April or May 2010 stating he could not sleep, resulting in twenty-three days of little sleep.

e-1) Also, defendant Denise Ryan is liable for this allegation for not notifying Dr. Turnball of the plaintiff's problem or failing to schedule a sooner appointment, as well as defendants Bill Fuller and Dale Dionne under § the supervisor liability clause.

f-3) About May 13, 2010, defendant

Dr. Quentin Turnbull discontinued the plaintiff's Remeron, but gave nothing to him for his depression, and bi-polar issues.

g) During the plaintiff's 2009-10 incarceration, defendant Dr. Quentin Turnbull prescribed three different medications ~~that did~~ (Remeron, Trilafon, and Lomectil) that did not work.

h) When the plaintiff saw defendant Dr. Quentin Turnbull in Feb 2011 for his intake, he only prescribed two (Tegefol and Buspar) of

The four medications the plaintiff was on upon arrival to HCCDC, totaling \$120,000

24. Finally, the prose plaintiff asks this Honorable Court for Punitive Damages in the amount of \$4,000 against each defendant and for each occurrence for the following reasons:

a) Upon arrival to HCCDC on November 16, 2009, defendant Dr. Matthew Maseric did not prescribe the plaintiff's Risperidol, Pristiq and his DepotProvera shots.

a-1) Also, defendant is liable for this

allegation for not contacting the plaintiff's
pharmacy to confirm his current medications as
well as defendant's Bill Fuller and Dale
Dionne for having such a policy

b) On January 11, 2010, defendant
Dr. Matthew Majewicz referred the plaintiff's
treatment to Dr. Turnbull; forcing the plaintiff
to wait longer to get stabilized on psychiatric
medication. He did this because the plaintiff
handed him his copy of a complaint he sent to
the NH Board of medicine.

c) On January 4, 2011, defendant Dr. Matthew Masewic forced the plaintiff to detox off of his Risperadol, Elavil, and the plaintiff's DepoProvera shots upon his arrival to HCDOC.

c-i) Also, defendant Denise Ryan is liable for this allegation for not contacting the plaintiff's pharmacy to confirm his medications, as well as defendants Bill Fuller and Dave Dionne for having such a policy.

d) Not all of the plaintiff's general

health medications were prescribed by defendant Dr. Matthew Masewic until the plaintiff saw him in February 2011.

d-1) Also, defendant Dennis Ryan is liable for this allegation for not contacting the plaintiff's pharmacy to confirm his medications, as well as defendants Bill Fuller and Dave Dionne, for having such a policy

e) Defendant Dr. Quentin Turnbull neglected to prescribe anything when the plaintiff filled out an MRF sometime in April

or May 2010 stating he could not sleep,
resulting in twenty-three days of little sleep.

e-i), Also, defendant Denise Ryan is
liable under this allegation for not notifying
Dr. Quentin Turnbull ~~in February 2011 for his~~
^{of the plaintiff's problem}

or for failing to schedule a sooner appointment
as well as Bill Fuller and Dave Dierne under
the supervisor liability clause.

f) About May 12, 2010, defendant Dr.
Quentin Turnbull discontinued the plaintiff's
Remeron, but gave nothing for his depression

and bi-polar issues.

g) During the plaintiff's 2009-10 incarceration, defendant Dr. Quentin Turnbull prescribed three different medications (Remeron, Trilafon, and Levetiracetam) that did not work,

h) When the plaintiff saw defendant Dr. Quentin Turnbull in February 2011 for his intake, he only prescribed two (Tegretol and Buspar) of the four medications the plaintiff was on upon admission to HCDOC, totaling \$240,000 for a grand total of \$360,600

for this allegation.

25. For Allegation DENIAL OF
INCOMING RELIGIOUS MATERIAL, the
pro se plaintiff, Jonathan Andrew Perfetto, asks
this Honorable Court for Injunctive Relief by
having the Court order Helder officials to
accept incoming mail by UPS or Federal
Express.

26. Also, the plaintiff asks this ~~#~~
Honorable Court for Nominal Damages in the
amount of \$10 against each defendant and for

Each occurrence for HCDOC officials denying
the plaintiff's incoming religious material on three
separate occasions, totaling \$120 (at four
defendants and three occasions).

27. Again, the pro se plaintiff asks this
Court for Compensatory Damages in the amount
of \$2,500 against each defendant and for
each occurrence for HCDOC officials denying
the plaintiff's incoming religious material
on three separate occasions, totaling \$30,000.

28. Finally, the pro se plaintiff asks this

Honorable Court for Punitive Damages in the amount of \$5,000 against each defendant and for each occasion for HCDOT officials ~~not~~ denying the plaintiff's incoming religious material on three separate occasions, totaling \$60,000; for a grand total of \$90,120 for this allegation.

29. For Allegation VIII MEDICAL ~~BY~~
DEPARTMENT LETTING THE PLAINTIFFS
MEDICATION RUN OUT, the prose
plaintiff, Jonathan Andrew Perfetto, asks

this Honorable Court for Injunctive Relief
ordering
by ~~having~~ ^{order} HiDoc officials to come up with a
policy to ensure inmates medications are
~~reordered~~
~~Reordered~~ in a timely manner to ensure
their medications do not run out.

3) Also, the prose plaintiff asks this
Honorable Court for Nominal Damages in the
amount of \$10 against each plaintiff and
for each occurrence for HiDoc officials
allowing the plaintiff's medication to run out or
expire on several occasions, totaling \$150 (three

defendants and five occasions).

31. Again, the pro se plaintiff asks this Honorable Court for Compensatory Damages in the amount of \$3,000 against each defendant and for each occurrence for HCDOC officials allowing the plaintiff's medication to run out or expire on several occasions, totaling \$45,000.

32. Finally, the pro se plaintiff asks this Honorable Court for Punitive Damages in the amount of \$6,000 against each defendant plaintiff and for each occurrence for HCDOC

officials to allow the plaintiff's medications to run out or expire on several occasions totaling \$90,000 for this allegation, for a grand total of \$135,150 for this allegation.

33. For Allegation IX Safety Violations,

the prose plaintiff, Jonathan Andrew Perfetto, asks this Honorable Court for ^{defendant's} Injunctive Relief by ordering Captain Gifford Hisroe and Dave Dionne to retrain Corrections Officers work unit 2A to prevent

Further breaches of security.

34. Also, the prose plaintiff asks this Honorable Court for Nominal Damages in the amount of \$10 against each defendant and for each occurrence for the following reasons:

- a) During the plaintiff's 2009-10 incarceration, ~~the~~ defendants S. FNU Crowell, ^{FNU} C. Goodyerez (younger one), S. FNU Price, and S. FNU Sappienza made one security breach by letting the plaintiff,

a protective custody inmate, intermingling
with general population inmates.

b) In September 2010 defendants
% FNU Cravell and % FNU Caulding failed
to protect the plaintiff from his cellmate
Paul Dinnick.

c) On April 4 or 5, 2010, defendant
Lieutenant FNU Boyer forced the
plaintiff to follow an IRF to withdraw
his request for a grievance for being
housed with a physically and sexually

aggressive inmate.

d) During the plaintiff's 2009-10 and 2011 incarcerations defendants Bill Fuller, Captain Gifford Hiscoe and Dave Dionne failed to do anything about the four security breaches and/or the physical~~s~~ and sexual assaults by former inmates Paul Dimmick and Walter Alexis, totaling \$400.

35 Again, the pro se plaintiff asks this Honorable Court for Compensatory Damages in the amount of \$3500 against each

and for each occurrence
defendant, for the following reasons:

a) During the plaintiff's 2009-
10 incarceration defendants, FNU Crowell,
% FNU Goodyerz (younger one), ~~% FNU~~ FNU
Price, and % FNU Sappenzza made one
security breach by letting the plaintiff,
a protective custody inmate, intermingle
with general population inmates.

b) In September 2010, ~~defendants~~
defendants % FNU Crowell and % FASU
Goulding failed to protect the plaintiff from

his cell mate Paul Dimmick,

c) On April 4 or 5, 2010, defendant
Edu Boyer forced the plaintiff to fill out
an ERF to withdraw his request for
a grievance for being housed with a
and sexually
physically aggressive inmate.

d) During the plaintiff's 2009-10 and
2011 incarcerations, defendants Bill Fuller,
Captain Gifford
~~Dave Dimmick~~, Hiscoe, and Dave Dionne failed
to do anything about the four security breaches
and/or the physical and sexual assaults by

former inmates Paul Dimmick and ~~Walter~~ Walter
Alexis, totaling \$140,000

3 Finally, the pro se plaintiff asks this
Honorable Court for Punitive Damages in the
amount of \$7,000 against each ~~offense~~ defendant
and for each occurrence for the following
reasons:

a) During the plaintiff's 2009-10
incarceration, defendants % FNU Crowell, % FNU
Goodyear (younger one), % FNU Price, and % FNU
Sappyeenzza made one security breach by

letting the plaintiff intermingle with general population inmates.

b) In September 2010, defendants
FNU Crowell and % FNU Goulding failed
to protect the plaintiff from his cellmate
Paul Dimmick.

c) On April 4 or 5, 2010, defendant
Lieutenant FNU Boyer forced the plaintiff
to fill out an IRF to withdraw his request
for a grievance for ~~being~~ being housed with a
physically and sexually aggressive inmate.

d) During the plaintiff's 2009-10 and 2011 incarcerations, defendants Bill Fuller, Captain Gifford Hiscoe, and Dave Dionne failed to do anything about the four security breaches and/or the physical and sexual assaults by former inmates Paul Dimmick and Walter Alexis, totaling \$280,000 for a grand total of \$420,400, for this allegation,

37. For Allegation IMPROPER MAIL PROCEDURES, the pro se plaintiff Jonathan Andrew Perfetto, asks this

Honorable Court for Injunctive Relief by
the Court ordering HCDOC officials to change
their mail policy to allow incoming mail from
UPS and Federal Express.

38. Also, the pro se plaintiff asks this
Honorable Court for Nominal Damages in the
amount of \$10 against each defendant and for
each occurrence for HCDOC official having an
improper mail policy compared to other correctional
facilities in the area, totaling \$50 (two defendants
~~three occurrences)~~)

39. Again, the pro se plaintiff asks this Honorable Court for Compensatory Damages in the amount of \$4,000 against each defendant and for each occurrence for H(DCC) officials having an ionproper mail policy compared to other correctional facilities in the area, totaling \$20,000.

40. Finally, the pro se plaintiff asks this Honorable Court for Punitive Damages in the amount of \$8,000 against each defendant and for each occurrence for H(DCC) officials having

an improper mail policy compared to other
correctional facilities in the area, totaling \$40,000,
for a grand total of \$60,000, for this allegation.

III. For Allegation XI Loss of Freedom,

the pro se plaintiff, Jonathan Andrew

Perfetto, asks this Honorable Court for

Nominal Damages in the amount of \$10

against each ^{defendant} plaintiff and for each

^{person} ^{HDCO officials}

~~officer~~ for not having prescribed the

plaintiff's DepoPivera (or not ordering

medical to do so.), a female hormone given

to sex offenders to curb their urges to molest children and to frequently ~~masturbate~~ masturbate during his November 2009 to November 2010 incarceration; causing the plaintiff to have urges to molest a child before being released, and when he was released, committed five felonies (possessing child sex abuse images aka child pornography) since the plaintiff did not have a strong enough level of Deter Protection in his system; therefore losing

his freedom for a minimum of twenty years,
totaling \$80 (four defendants and two reasons)

42. Also, the prose plaintiff asks this
Honorable Court for Compensatory Damages
in the amount of \$7,800,000³⁶

³⁶ The plaintiff arrived at this
figure by calculating \$1,000 a day for twenty
years (including five leap years)
against each defendant and for each reason
for HCDC officials not having the plaintiff's
~~oranted~~
Depo Provera, (or not ordering medical to do so),
a female hormone given to sex offenders to

curb their urges to molest children and to frequently masturbate during his November 2009 to November 2010, causing the plaintiff to have urges to molest a child before being released, and when he was released, the plaintiff committed five felonies (possessing child sex abuse images aka child pornography) since the plaintiff did not have a strong enough level of Depo Provera in his system, therefore losing his freedom for a minimum of twenty years, totaling ~~40~~ four defendants

\$63,400,000.

43. ~~Again~~, the prose plaintiff asks this

Honorable Court for Special Compensatory

Damages in the amount of \$500,000³⁸ ~~39~~.

~~37~~ The reason why the plaintiff asked for special compensatory damages is due to the fact it is hard to tell if the ~~he~~ plaintiff would be kicked off SSI by finding full-time work with the help of Vocational Rehabilitation. The plaintiff has used their services in the past with success in getting thrown off Social Security benefits in 2000 (he made too much money at his job to still continue his monthly benefit). This was the plaintiff's last job. He was a floating cashier for Gilbs Gas Station (now Hess), which meant he was not assigned to any one location. The plaintiff went where he was needed.

in the amount of \$500,000 for HCDNC officials
not having the plaintiff's DepoProvera^{provided} (ornal
ordering medical dosage), a female hormone
given to sex offenders to curb their urges and
to frequently masturbate during his November
2009 to November 2010; causing the plaintiff
to have urges to molest a child before
being released, and when he was released, he
committed five felonies (possessing child sex
abuse images aka child pornography) since the
plaintiff did not have enough DepoProvera in

his system; therefore losing his freedom for a minimum of twenty years, totaling \$4,000,000.

¶¶¶ Finally, the pro se plaintiff asks this Honorable Court for Punitive Damages in the amount of \$11,700,000 (for the Compensatory damages) and \$6,000,000 (for the Special Compensation Damages) against each defendant and for each reason for HCDC officials not having the plaintiff's Depo Provera prescribed (or ordering medical todosc), a female hormone given to

sex offenders to curb their urges and to frequently masturbate during his November 2009 to November 2010; causing the plaintiff to have urges to molest a child ~~once released~~ before being released, he committed five felonies (possessing child sex abuse images aka child pornography) since the plaintiff did not have enough Depo/Provera in his system; therefore losing his freedom for a minimum of twenty years totaling \$106,400,000; for a grand total of \$168,800,000 for this allegation.

45. For Allegation XII Destroying Legal

Discovery, the pro se plaintiff, Jonathan Andrew Perfetto, asks this Honorable Court for Nominal Damages in the amount of \$10 against each defendant and for each occurrence for defendant's destroying the plaintiff's lawsuit he wished to file in Hillsborough County Superior Court, North and for having to use the United States Postal Service to mail his lawsuit to the defendant's.

¶6. Also, the pro se plaintiff asks this Honorable Court for Compensatory Damages.

in the amount of 156.32 against each
and for each reason
defendant for defendant's destroying the
plaintiff's lawsuit that he wanted to file in
Hillsborough County Superior Court, North and
for having to use the United States Postal Service
to mail his lawsuit to the defendants, totaling
\$1,117.92.

47. Finally, the pro se plaintiff asks this
Honorable Court for Punitive Damages in the
amount of 999,999.99 against each defendant
and for each reason for defendant's destroying

the plaintiff's lawsuit to that he wanted to file in Hillsborough County Superior Court, North and for having to use the United States Postal Service to mail his lawsuit to the defendant's, totaling ~~\$6,001,118.96~~^{5,999,999.94}; for a grand total of \$6,001,118.96

48. For Allegation XIII Medical Administrator
Not Doing Her Job Correctly, the pro se plaintiff, Jonathan Andrew Perfetto, asks this Honorable Court for Injunctive Relief by having this court order defendants Bill Fuller

and Dave Dionne to develop a plan to make sure appointments are made to see Dr. FMU Turnball when he request to see the patient in their chart as well as developing a plan to prevent a patients prescription for psychiatric medication from running out.

¶ ^{Also,} The pro se plaintiff asks this Honorable Court for Nominal Damages in the amount of \$10 against each defendant and for each reason for defendants failure to

schedule the plaintiff to see defendant Dr. Quentin Turnball on at least ten occasions,³⁸

38 The plaintiff reserves the right to amend ~~the~~ amount of occasions once discovery is completed

for allowing the plaintiff's ~~his~~ medication to expire on ~~at least~~ two occasions³⁹

39 See footnote 38

and for allowing the plaintiff's medication to run out on at least ten occasions⁴⁰

40 See footnote 38

during the his 2009 incarceration, totaling⁴²⁰ \$~~350~~

50. Again, the pro se plaintiff asks this Honorable Court for Compensatory Damages in the amount of \$4,500 against each defendant defendants' and for each reason for failure to schedule the him to see defendant Dr. Quentin Turnbull on at least two occasions, for allowing the plaintiff's medication to expire and for ~~allowing~~ the plaintiff's medication run out on at least ten occasions during his 2009 incarceration, totaling \$67,500.

51. Finally, the pro se plaintiff asks this

Honorable Court for Punitive Damages in
the amount of \$9000 against each defendant
and for each reason for defendant's not
scheduling the plaintiff to see defendant Dr
Quentin Turnbull on at least two occasions, for
allowing the plaintiff's medication to expire
on at least two occasions and for allowing ~~the~~
his medications to ~~take~~ expire on at least ten
occasions, totaling \$135,000 for a grand total of
\$202,42 for this allegation.

52. For Allegation XIV BOOKING OFFICER

RELEASING A SUICIDAL INMATE,
the pro se plaintiff, Jonathan Andrew Peltz,
asks this Honorable Court for Injunctive
Relief by ordering defendants to develop a
plan on how to deal with inmates that max out
on suicide watch and be approved by this court.

53. Also, the pro se plaintiff asks this Honorable
Court for Nominal Damages in the amount of \$0
against each defendant and for each reason for
defendant's releasing him who was on special
watch without a referral to receive mental health

Services on the outside on November 14, 2010
and for not having Mental Health see the plaintiff
before he walked out, totaling \$140.

54. Again, the pro se plaintiff asks this
Honorable Court for Compensatory Damages
in the amount of \$5,000 against each
defendant and for each reason for defendants
releasing him, who was on special watch without
a referral to receive mental health services or
the outside on November 14, 2010 ^{and} ~~or~~ for not
having mental health see the plaintiff before

he maxed out, totaling \$70,000..

55 Finally, the prose plaintiff asks this Honorable Court for Punitive Damages in the amount of \$10,000 against each defendant and for each reason for defendants releasing him while on suicide watch on November 14, 2010 and for mental health not seeing the plaintiff before he maxed out, totaling \$10,000 for a grand total of \$210,140 for this allegation.

56. For Allegation XV ASSAULT BY A STAFF MEMBER, the prose plaintiff

Jonathan Andrew Perfetto, asks this Honorable Court for Nominal Damages in the amount of \$10 defendant against each defendant and for each reason for % FNU Plaintiff ~~for~~ harassing, physically assaulting him twice and for threatening the plaintiff which all occurred on November 13, 2010,

⁴¹ All other defendants are held liable by the Supervisor Liability Doctrine
~~factual~~ totaling \$20.

51. Also, the prose plaintiff asks this Honorable Court for Compensatory Damages in the amount of \$500,000⁴²

42 The plaintiff asks for ~~damages~~ Compensatory Damages in the six figures is due to the fact that defendant % FNU Plumtin used his authority ~~as~~ as a % when he committed his offenses against the plaintiff.

against each defendant and for each reason for defendant % FNU Plumtin (now Field

Training Officer) harassing the plaintiff, physically twice assaulting him, and threatening the plaintiff which all occurred on November 13, 2010, totaling \$10,000,000.

57. Finally, the pro se plaintiff asks this Honorable Court for Punitive Damages in the amount of \$1,000,000 against each defendant and for each

reason for defendant % FNU Plaintiff (new Field Training Officer) harassing the plaintiff, physically assaulting him twice, and for threatening the plaintiff, which all occurred on November 13, 2010, totaling \$20,000,000. The grand total is \$30,000,200 for this allegation.

Amendment To Demands

1. The pro se plaintiff, Jonathan Andrew Perfetto, wishes to strike the Injunctive Relief Sought for Allegation VII DENTAL OF INCUMING RELIGIOUS MATERIAL

to:

a) For Allegation VII DENIAL OF INCOMING RELIGIOUS MATERIAL, the prose plaintiff, Jonathan Andrew Perfetto, asks this Honorable Court for Injunctive Relief by having the Court order HCDOL officials come up with a policy that allows inmates to share religious material with other interested inmates but balance security interests.

Amendment

1. The prose plaintiff, Jonathan A. Perfetto

wishes to amend this complaint as follows:

2. Sometime in March or April 2011, defendants Capt. Gifford Hiscoe and Bill Fuller spoke to the plaintiff rather extensively to investigate his allegations of being sexually assaulted by Walter Alexis. They met in the attorney room of unit 23 and spoke for about an hour.

3. The plaintiff wishes to add above paragraph to Allegation IX SAFETY VIOLATIONS after para. C-23.

In closing, the pro se plaintiff,
Jonathan Andrew Perfetto, sues all defendants
both in their official and individual capacities.

The final total of this civil complaint is
\$207,487,422.86.

Respectfully Submitted,

Jonathan A. Perfetto

I, Jonathan Andrew Perfetto, declare

under penalty of perjury that the
foregoing is true and correct to the best of
my knowledge.

December 8, 2014

December 8, 2014

Jonathan A. Peretto
Jonathan A. Peretto

U.S. DISTRICT COURT
DISTRICT OF N.M.
FILED

Jonathan A. Perfetto
73040
Northern NH Correctional Facility
138 E. Milan Rd.
Berlin, NH 03570-3565

2014 DEC 15 P 12:11

December 8, 2014 Kislev 16, 5775 (Jewish Calendar)
Mailed 12/9/14 3/16/75

James R. Starr
Clerk of Court
US District Court
55 Pleasant St.
Concord, NH 03301-3941

RE: Enclosed Complaint

Dear Clerk:

I apologize this enclosed complaint does not conform to Local Rules. This is sold in my canteen.

Respectfully,


Jonathan A. Perfetto

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

(a) PLAINTIFFS <i>Jonathan A. Perfetto</i>		U.S. DISTRICT COURT DISTRICT OF N.M. FILED County of Residence of First Listed Plaintiff <i>Socs</i> <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i>		DEFENDANTS <i>Dave Dicrino, Superintendent Hills, County Dept. of Court.</i>	
		2014 DEC 15 R12		County of Residence of First Listed Defendant <i>(IN U.S. PLAINTIFF CASES ONLY)</i> NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.	
(c) Attorneys (Firm Name, Address, and Telephone Number)		Attorneys (If Known)			

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)		III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)			
<input type="checkbox"/> 1 U.S. Government Plaintiff	<input type="checkbox"/> 3 Federal Question (<i>U.S. Government Not a Party</i>)	Citizen of This State	<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 1 Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4 <input type="checkbox"/> 4
<input type="checkbox"/> 2 U.S. Government Defendant	<input checked="" type="checkbox"/> 4 Diversity (<i>Indicate Citizenship of Parties in Item III</i>)	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5
		Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3 Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)					
CONTRACT		TORTS		FORFEITURE/PENALTY	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice		<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	
				PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	
REAL PROPERTY		CIVIL RIGHTS		LABOR	
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property		<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education		<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	
				SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	
				FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	
				IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	

V. ORIGIN (Place an "X" in One Box Only)					
<input type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input checked="" type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from Another District (specify)	<input type="checkbox"/> 6 Multidistrict Litigation

VI. CAUSE OF ACTION		Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): <i>42 USC Section 1983</i>			
		Brief description of cause: <i>Medical Mistreatment and Religious</i>			

VII. REQUESTED IN COMPLAINT:		<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.	DEMANDS <i>207,487,422.86</i>	CHECK YES only if demanded in complaint: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
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VIII. RELATED CASE(S) IF ANY		(See instructions):		JUDGE	DOCKET NUMBER
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DATE	SIGNATURE OF ATTORNEY OF RECORD	
<i>12/8/2014</i>	<i>Jonathan A. Perfetto, Pro Se</i>	

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFFP _____ JUDGE _____ MAG. JUDGE _____